

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**JULIO CHRISTIAN,**  
**Plaintiff**

**v.**

**PENNSYLVANIA BOARD OF  
PROBATION AND  
PAROLE, et al.,**  
**Defendants**

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**No. 1:21-cv-288**

**(Judge Rambo)**

**ORDER**

**AND NOW**, on this 23rd day of February 2021, in accordance with the Memorandum issued concurrently with this Order, **IT IS ORDERED THAT:**

1. Plaintiff's motion for leave to proceed *in forma pauperis* (Doc. No. 3) is **DENIED**;
2. The complaint (Doc. No. 1) is **DISMISSED** for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii). Any claims seeking immediate release or a parole hearing are **DISMISSED WITHOUT PREJUDICE** to Plaintiff's right to seek such relief in a properly filed habeas corpus action. Any claims challenging Plaintiff's parole revocation and the validity of his detention are **DISMISSED WITHOUT PREJUDICE** to reassertion in a new civil action only in the event his conviction is reversed, vacated, or otherwise invalidated. Plaintiff's remaining claims against Defendants are **DISMISSED WITH PREJUDICE**. Plaintiff may not file an amended complaint in this matter; and
3. The Clerk of Court is directed to **CLOSE** the above-captioned case.

s/ Sylvia H. Rambo  
United States District Judge